

### **Remarks**

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1, 3, 9-13, 15, and 18-19 are presently pending. Applicant herein amends claims 1, 9, 10, 13, 15, and 18-19 for clarification. Support for the claim amendments can be found in the original specification at least at paragraphs [0029], [0051], [0057], [0063]-[0065] and [0067]. No new matter has been added.

### **Formal Request for an Interview**

If the Examiner's reply to this communication is anything other than allowance of the pending claims, then Applicant formally requests an interview with the Examiner. Applicant respectfully requests and encourages the Examiner to call Applicant's representative, using the contact information listed at the Conclusion of this document, for the purposes of an Examiner's Amendment, or to resolve any outstanding issues quickly and efficiently over the phone prior to sending any further Office Actions.

### **Cited Documents**

The following documents have been applied to reject one or more claims of the Application:

- **Mittal:** Mittal, et al., U.S. Patent Application Publication No. 2005/0286764
- **DeMenthon:** DeMenthon, et al., "Spatio-Temporal Segmentation of Video by Hierarchical Mean Shift Analysis", IEEE, 2001, pp 20
- **Brook:** Brook, et al., U.S. Patent No. 7,432,940

- **Collomosse:** Collomosse et al., "Stroke Surfaces: A Spatiotemporal Framework for Temporally Coherent Non-photorealistic Animations", 2003.

### **Informalities**

The Office objected to Claim 1 due to informalities, specifically that the word "video" was spelled "vide."

Accordingly, Applicant herein amends claim 1 to address the objection made by the Examiner, and to expedite prosecution.

### **§ 101 Rejections**

Claims 13, 15, 18, and 19 stand rejected under 35 U.S.C. § 101 as being allegedly directed to non-statutory subject matter. Specifically, the Office contends that independent claim 13 is drawn to non-statutory subject matter such as a "modulated data signal" and "carrier wave." Applicant respectfully traverses this rejection.

However, without conceding the propriety of the rejections, and in the interest of expediting allowance of the application, Applicant herein amends claims 13, 15, 18, and 19 for clarification. Instead of comprising "computer-readable media" which includes "computer storage media" (tangible media) and "communication media" (intangible media), Claims 13, 15, 18, and 19 are herein amended to include "computer storage media" only.

Applicant respectfully submits that claims 13, 15, 18, and 19 as amended are drawn to statutory subject matter, and requests the rejection be withdrawn.

### **§ 103 Rejections**

Claims 1, 3, and 9-13, 15, and 18-19 stand rejected under 35 U.S.C. § 103(a) as being obvious over Mittal in view of DeMenthon, and in further view of Brook. Applicant respectfully traverses the rejection.

Nevertheless, without conceding the propriety of the rejections, and in the interest of expediting allowance of the application, Applicant herein amends claims 1, 9, 10, 13, 15, and 18-19 for clarification. Support for the claim amendments can be found in the original specification at least at paragraph [0020]-[0021] and [0029].

In light of the amendments presented herein, Applicant respectfully submits that the rejections to claims 1, 3, and 9-13, 15, and 18-19 are moot. Accordingly, Applicant requests the rejections be withdrawn.

Claims 13, 15, 18, and 19 stand rejected under 35 U.S.C. § 103(a) as being obvious over Mittal in view of DeMenthon, and in further view of Collomosse. Applicant respectfully traverses the rejection.

Nevertheless, without conceding the propriety of the rejections, and in the interest of expediting allowance of the application, Applicant herein amends claims 13, 15, 18, and 19 for clarification. Support for the claim amendments can be found in the original specification at least at paragraphs [0051], [0057], [0063]-[0065] and [0067].

In light of the amendments presented herein, Applicant respectfully submits that the rejections to claims 13, 15, 18, and 19 are moot. Accordingly, Applicant requests the rejections be withdrawn.

## **Conclusion**

For at least the foregoing reasons, claims 1, 3, 9-13, 15, and 18-19 are in condition for allowance. Applicant respectfully requests reconsideration withdrawal of the rejections and an early notice of allowance. If any issues remain that prevent issuance of this application, Applicant respectfully requests the Examiner to contact the undersigned representative to resolve the issue before issuing a subsequent Action. Please call or email me at your convenience.

Respectfully Submitted,

Lee & Hayes, PLLC  
Representatives for Applicant

/Patrick D.S. Reed/ Dated: May 26, 2009

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